

REMARKS/ARGUMENTS

Claims 1-4, 7-11 and 14 are pending in this application. Claims 1 and 8 are independent. Claims 1, 7, 8, and 14 are hereby amended. Claims 6 and 13 are canceled without prejudice to, or disclaimer of, the subject matter recited therein.

The subject matter previously recited in claim 6 is incorporated by this Amendment into independent claim 1. Accordingly, the dependency of claim 7 is amended to depend from claim 1. The subject matter previously recited in claim 13 is incorporated by this Amendment into independent claim 8. Accordingly, the dependency of claim 14 is amended to depend from claim 8.

In section 7 on page 8, the Office Action indicates that claims 6 and 7 would allowable if rewritten in independent form including all the limitations of base claim 1. As described above, claim 1 is rewritten in independent form corresponding to claim 6. Thus, it is respectfully submitted that claim 1, and claims 2-4 and 7, depending from claim 1 should be allowed.

In section 4 on page 3, the Office Action rejects claims 8, 9, 13 and 14 under 35 U.S.C § 101 on the ground that the subject matter is allegedly non-statutory. This rejection is respectfully traversed.

Claim 8, from which claims 9, and 14 depend, is amended to recite that the subject matter therein is implemented in a computer. Accordingly, applicant respectfully submits that the subject matter recited in claims 8, 9, and 14 constitutes an article of manufacture. Thus, it is respectfully that the subject matter recited in claims 8, 9, and 14 is statutory subject matter.

Claim 13 is canceled without prejudice to, of disclaimer of, the subject matter recited therein. That subject matter is also incorporated into independent claim 8 by this Amendment.

For at least the forgoing reasons, it is respectfully requested that the rejection of claims 8, 9, 13 and 14 has allegedly being directed to non-statutory subject matter be withdrawn.

In the final sentence of section 4 at the top of page 3, the Office Action indicates that claims 13 and 14 would be allowable if rewritten in independent form, including all the limitations of base claim 8, as well as to overcome the rejections of those claims under 35 U.S.C § 101. As described above, claim 8 is rewritten in independent form corresponding to allowable claim 13. As also described above, claim 8 is amended to overcome the rejection under 35 U.S.C § 101. For at least the forgoing reasons, it is respectfully submitted that claims 8-11 and 14 should be allowed.

In section 6 on pages 3-7, the Office Action rejects claims 1-4 and 8-11 under 35 U.S.C. § 102(a) as being allegedly anticipated by the reference specified therein. This rejection is respectfully traversed for at least the following reasons.

Claims 1-4 and 8-11 should be allowed for at least the following reasons stated above in connection with the indication that the claims 6 and 13 are allowable if written in independent form, because the amendments to independent claims 1 and 8 from which claims 2-4 and 9-11 depend, respectively, correspond to rewriting claims 6 and 13 in independent form.

For at least the forgoing reasons, it is respectfully requested the rejection of claims 1-4 and 8-11 under 35 U.S.C. § 102(a) be withdrawn.

Conclusion

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully

requested that the Examiner telephone the correspondence attorney listed below in order to expeditiously resolve any outstanding issues.

Respectfully submitted,
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